



3731 / \$
Jaw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip B. Sample

Serial No. : 10/058,122

Filed : January 29, 2002

Title : TISSUE CUTTING INSTRUMENT

Art Unit : 3731

Examiner : Baxter, Jessica R.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed June 23, 2004, applicant elects the invention of species 2(a) (drawn to Figs. 1-8) and subspecies 3(a)(i) (drawn to a spherical terminal end), 3(b)(i) (drawn to a terminal end opening formed by a cut), 3(c)(i) (drawn to moving the cutter by "[r]otating an inner member to cause off-axis movement of the cutter. The inner member rotates axially and cutter rotates in a direction perpendicular to the direction of the inner member"), and 3(d)(ii) (drawn to end cutting on tissue by "slicing, grabbing, and shearing"). The election is made with traverse. The features identified as subspecies and identified by Roman numeral in paragraph 3 do not in all instances indicate separate subspecies.

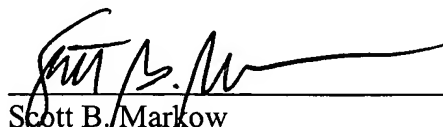
Claims 1-3, 5, 6, 11-30, 33, and 37 are readable on the elected species and subspecies, with at least claims 1, 2, 5-7, 11-13, 15-23, and 27- 37 being generic.

Enclosed is a \$110.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

8/23/2004



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